

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JONATHAN MOORE, ADC #143334**

**PLAINTIFF**

**v.**

**CASE NO. 5:12CV00212 BSM/JTR**

**JERRY ATKINS, Correctional Officer; and  
MICHAEL MOSELEY, Lieutenant  
Cummins Unit, Arkansas Department of Correction**

**DEFENDANTS**

**ORDER**

The proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections have been filed. After carefully considering this document and making a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

**IT IS THEREFORE ORDERED THAT:**

1. Pursuant to the screening function mandated by 28 U.S.C. § 1915A, this case is **DISMISSED, WITHOUT PREJUDICE**, for failure to state a claim.
2. Dismissal of this action **CONSTITUTES** a “strike,” as defined by 28 U.S.C. § 1915(g).
3. It is **CERTIFIED**, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order and the accompanying judgment would not be taken in good faith.

Dated this 6th day of August 2012.

  
UNITED STATES DISTRICT JUDGE